GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Water Resources Department –Renewal of lease of Government land measuring an extent of 104.17 ankanams in Sy. No. 1473 of Nellore town in favour of M/s P.T. Gopalachari & Sons, Nellore for establishment of petrol Bunk up to 30-09-2021– orders issued as per court orders –Reg.

WATER RESOURCES (CE's ESTABLISHMENT) DEPARTMENT

G.O.RT.No. 286 **Dated: 09-08-2021**

Read the following:

1. Orders of the Hon'ble High Court, AP in W.P.No. 2384 of 2008 dated 17-4-2008.
2. Representation of P.T. Gopalachari & Sons, Bharath Petroleum Corporation Ltd. Dealers Nellore dated: 07-11-2019.
3. Govt. Memo.No.3067607/CE'sEstt.,/2019, dated 26/11/2019.
4. From the Chief Engineer, NTR TGP, Tirupathi Lr. No. CE/ NTRTGP/ TPT/TS/TS/ Lease of Govt. Land Dated: 26- 05-2020.
5. Govt., Memo.No.3067607/CE'sEstt.,/2019 21/06/2020.
6. From the Chief Engineer, NTR TGP, Tirupathi, Lr.No. CE/ NTR - TGP/ TPT / TS/ T5/ Lease of Govt., Land, dated 28-04-2021.
7. Govt. Memo.No.3067607/CE'sEstt.,/2019, dated 31-05-2021.
8. From the Chief Engineer, NTR TGP, Tirupathi, Lr.No. CE/ NTR - TGP/ TPT / TS/ T5/ Lease of Govt., Land, dated 09-06-2021.

ORDER:-

In the references 4th, 6th, 7th & 8th read above, the Chief Engineer, NTR TGP, Water Resources Department, Tirupathi has stated that the lease orders were issued by Revenue Department for the Govt., land measuring an extent of 104.17 Ankanams (7,500 Sft.) in Sy.No. 1473 of Nellore Town in favour M/s P.T. Gopalachari & Sons for establishment of Petrol bunk vide G.O.Rt.No.528, Revenue (Assn.II) Deptt., dated 22.11.1995 for a period of 5 years. After expiry of the lease period, the EE, I&CAD (A/C), Nellore Central division, Nellore has renewed the lease for another 5 years with effect from 22.12.2000 to 21.12.2005 on the same terms and conditions and from 22-12-2005, the petrol bunk continued without renewal orders from the Government. During the AG's audit inspection in the year 2001 it was pointed out that the lease rent fixed by the authorities during extended years was found to be erroneous and the AG authorities communicated an audit objection stating that the enhanced lease amount should have been as Rs. 10,95,428/- for a period of 2001 to 2005. Accordingly, the Executive Engineer, Nellore Central Division Nellore, vide letter dated 22-01-2008 addressed M/s P.T. Gopalachari & Sons, Sreenivas Agraharam, Nellore directing the firm to pay the enhanced lease amount of Rs. 10.95,428/- retrospectively for a period of 2001- 2005, based on the audit objections. Aggrieved by the action of the Executive Engineer, Nellore, M/s P.T.

Gopalachari & Sons have approached the Hon'ble High Court by fing W.P.No. 2384 of 2008 and while disposing the WP, Hon'ble High Court in its orders dated 17-04- 2008 held as follows,-

"Respondent No.1 is directed to dispose of the application of the petitioner for renewal of lease subject to such terms and conditions as are permissible under law. Till disposal of the petitioner's application for renewal, the respondents shall not interfere with the business of running retail outlet by the petitioner on the site in question, subject to the petitioner continuing to pay pre-existing lease amount. The sum of Rs 1,00,000/-, which was deposited by the petitioner in pursuance of the directions of this Court, shall be retained by the respondents subject to the orders to be passed by the Government on the petitioner's renewal application. The said sum shall be adjusted to the lease amount payable by the petitioner in future".

2. Government after careful examination of the proposal, hereby decided to implement the orders of Hon'ble High Court in W.P.No. 2384 of 2008 dated 17-04-2008. Accordingly, hereby renew the lease period to the lease holder i.e., M/s P.T. Gopalachari & Sons, Nellore from 22-12-2000 to 30-09-2021, ***subject to such terms and conditions as are permissible under law***.

3. The Government hereby fix the lease amount for the above lease extended period as per court orders as follows:

Lease Details of M/s P.T. Gopala Chary & Sons, Nellore

Particulars of land leased.	Lease Period	Market value per Sq.Yd (As per District Registrar, Nellore)	Area in Sq. Yd (7500 Sq feet or 833.28 Sq.Y)	Total Market value of site	Lease amount per **one year** **(RS.)**	Lease amount 12% and 10% of Govt. Value for **block period/part** **(RS.)**	Remarks
Nellore City, Nellore bit-II, S.No.	22-12-2000 to 31-12-2000	1360	833.33	1133328	113332	2742 (for 9 days)	Lease rent per year is fixed at the rate of 10% on market value.
	Jan'2000 to Dec'2005	1360	833.33	1133328	113332	566660	
	Jan'2006-Dec'2010	9000	833.33	7499970	749997	3749985	
	Jan'2011-Dec'2015	15000	833.33	12499950	1249995	6249975	

1473, M/s Gopala Chary & Sons, Near Sreenivasa Agraharam, Mini Bypass, Facing W.No 46-2	Jan'2016-Dec'2020	24500	833.33	20416585	2041658	10208290	
	Jan'2021 to Sept'2021	24500	833.28	20416585	2041658	1531244	
Total Amount						**223,08,896**	

4. The Chief Engineer, NTR TGP, Tirupathi is directed to take necessary action accordingly, and to collect the balance lease amount due after adjusting the lease amount, if any, deposited by the lease holder as per court orders.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Syamala Rao Jamjam
Secretary To Government

To
The Chief Engineer,
NTR Telugu Ganaga, Tirupati.

//FORWARDED::BY ORDER//

SECTION OFFICER.